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REMARKS

The present amendment is responsive to the Office Action mailed in the above-referenced case on December 12, 2001, and made Final. Claims 16 and 17 stand rejected under 35 U.S.C. 103(a) over Remillard, of record, in view of Florin, newly cited, US 5,594,509, hereinafter Florin. Further, claims 18-34 stand rejected under 103(a) over Remillard in view of Florin, and further in view of Judson, of record.

To aid in the prosecution, the applicant repeats the present language of claim 16 below, in italics, with a particular portion emphasized:

16. *A set top box, comprising;*

a broadband receiver to receive multimedia information including a displayable data stream constituting data including future programming and at least one command associated with a displayable indicia;

tuner/demultiplexer circuitry to separate the displayable data stream from the multimedia information, and to form a display from the displayable data stream, the display formed including the displayable indicia; and

user-operable apparatus to select the displayable indicia;

characterized in that, in response to selecting the displayable indicia, the command associated with the selected indicia is stored and executed at a future point in time.

The applicant asks the Examiner's indulgence in a brief explanation of the claim language. It is clear in the claim that the command in question comes from the server side in the displayable data stream, and is associated with a displayable indicia that is a part of the displayable data stream. The command itself is not displayed, but the displayable indicia, of course, is displayed. The claim goes on to recite that, in response to a user selecting the

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indicia, the command associated therewith is stored, and executed at a future point in time.

The Examiner states in the rejection that Remillard does not teach where a command is associated with the displayable indicia, and the command is stored and executed at a future point in time. It appears that the Examiner relies on Florin to provide these limitations.

Applicant has reviewed Florin, in particular the teaching at column 16, line 66, to column 17 line 27, and the figures. It is abundantly clear that Florin teaches the notoriously well-known *RECORD* function for VCR equipment, wherein a user may select a program from a program listing, then a client-side record function (a part of the VCR software) for recording. The system then stores this information, and records the program when it is presented. This is a far cry from the recited limitations. The claim recites an indicia that received from the server side as a part of the program listing that is downloaded, associated as downloaded with a command.

The Florin teaching relied upon cannot possibly anticipate commands received associated with indicia streamed to the user as a part of the program listing. The applicant therefore requests the rejection be withdrawn, and the case passed quickly to issue, or prior art that actually teaches the claimed limitations be cited and applied.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

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Version With Markings to Show Changes Made

No claims are amended in the present response.

Respectfully Submitted,

Dan Kikinis

by_____
Donald R. Boys
Reg. No. 35,074

Donald R. Boys
Central Coast Patent Agency
P.O. Box 187
Aromas, CA 95004
(831) 726-1457